

Article - Education

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§4–104.

- (a) (1) Except in Baltimore County, each county board may:
 - (i) Retain counsel to represent it in legal matters that affect the board; and
 - (ii) Contract for the payment of a reasonable fee to the counsel.
- (2) Funds for these fees shall be included in the annual budget.
- (b) The Baltimore County Board may retain counsel to represent it in legal matters that involve disputes with the Baltimore County government.
- (c) Each county board may pay all or part of the counsel fees for the defense of a county board member who is involved in litigation because of his service and in his official capacity on that board. These payments are a valid educational expense.
- (d) (1) In any suit or claim brought against a principal, teacher, school security guard, or other agent or employee of a county board by a parent or other claimant with respect to an action taken by the agent or employee, the board shall provide for counsel for that individual if:
 - (i) The action was taken in the performance of his duties, within the scope of his employment, and without malice; and
 - (ii) The board determines that he was acting within his authorized official capacity in the incident.
- (2) The counsel required by this section may be provided through the office of the county attorney or city solicitor.
- (3) This subsection does not require a county board to provide or reimburse the cost of counsel to a plaintiff or claimant in a suit or claim against a county board or its members, agents, or employees.

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